



JEREMY W. KATZ (SBN: 119418)
PINNACLE LAW GROUP LLP
425 California Street, Suite 1800
San Francisco, CA 94104
jkatz@pinnaclelawgroup.com
Telephone: (415) 394-5700
Facsimile: (415) 394-5003

The following constitutes
the order of the court. Signed January 23, 2013

Attorneys for Trustee
PAUL J. MANSDORF


Roger L. Efremsky
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re:

PICONGEN WIRELESS INC.,

Debtor.

Case No. 12-48131 RLE 7

Chapter 7

ORDER APPROVING SALE OF ESTATE'S
INTEREST IN SUBSTANTIALLY ALL
ASSETS OF THE BANKRUPTCY ESTATE
FREE AND CLEAR OF CERTAIN CLAIMS OF
LIEN AND OTHER INTERESTS TO SIGMA
GROUP, INC.

Date: January 22, 2013
Time: 10:00 a.m.
Room: 201

The Honorable Roger L. Efremsky, United States
Bankruptcy Judge

On January 22, 2013, a continued hearing was held on Trustee Paul J. Mansdorf's (the "Trustee") Motion for Order Approving Sale of Estate's Interest in Substantially all Assets of the Bankruptcy Estate Free and Clear of Certain Claims of Lien and Other Interests for the purpose of conducting an auction of those assets. Jeremy W. Katz, Esq. of Pinnacle Law Group LLP appeared on behalf of the Trustee, who was present in court. Robert O. Groover III, Esq., appeared *pro se*. Patrick M. Costello, Esq. of Vectis Law Group appeared as proposed special

1 bankruptcy counsel on behalf of the Debtor and bidder xStream Wireless Works, Inc. Robert A.
2 Simon, Esq. of Barlow Garsek & Simon, LLP appeared on behalf of the asserted equity security
3 holders. Eric Nyberg, Esq. of Kornfield, Nyberg, Bendes & Kuhner, a Professional Corporation,
4 appeared on behalf of over-bidder Sigma Group, Inc. Other appearances were as noted on the
5 record. The Court previously had entered an "Order Overruling Opposition to Motion for Order
6 Approving Sale of Estate's Interest in Substantially All Assets of the Bankruptcy Estate Free and
7 Clear of Certain Claims of Lien and Other Interests," Docket No. 32, in which it had authorized
8 the sale free and clear of the asserted claims of lien and other interests of Groover & Associates
9 PLLC and/or Robert O. Groover III, Dale Kluesing, and Averett Family Trust, with the asserted
10 claims of lien and other interests attaching to the proceeds of sale to the same extent and with the
11 same validity and priority as they had attached to the assets being sold, and scheduled the auction
12 for January 22, 2013. At the continued hearing, the Debtor and the asserted equity security
13 holders orally moved for a cancellation or continuance of the auction pending a hearing on the
14 Debtor's motion to convert the case to a chapter 11 which had been filed on January 18, 2013,
15 Docket No. 34, which oral motion the Trustee opposed. Based upon the pleadings and papers on
16 file with the Court, the arguments of counsel in open court, for the reasons stated on the record,
17 and good cause appearing,

18 IT IS HEREBY ORDERED that the oral motion to cancel or continue the auction is
19 denied;

20 IT IS FURTHER ORDERED that the sale of the bankruptcy estate's right, title, and
21 interest in and to the following assets is approved to Sigma Group, Inc. for \$351,000.00 cash:

- 22 ● All intellectual property including, but not limited to, patent or patent application
23 numbers 20090100495, 20090002556, 20090009662, 20090074051, and 20090006882 (the
24 "Intellectual Property");
- 25 ● All claims or causes of action relating to the Intellectual Property;
- 26 ● All personal tangible property including inventory and equipment; and
- 27 ● All notes and rights to payment payable by Sai Manapragada.

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1 IT IS FURTHER ORDERED that the 14-day stay of Federal Rule of Bankruptcy
2 Procedure 6004(h) is waived.

3 ***END OF ORDER***
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COURT SERVICE LIST

Robert O. Groover III, Esq.
P.O. Box 293748
Lewisville, TX 75029-3748

Eric Nyberg, Esq.
Kornfield, Nyberg, Bendes & Kuhner
1970 Broadway, Suite 225
Oakland, CA 94612

Dale Kluesing
2275 Springwood Drive
Auburn, AL 36830

Averett Family Trust
c/o Ruth Donohue
805 General Cornwallis Drive
West Chester, PA 19382

Robert A. Simon, Esq.
Barlow Garsek & Simon, LLP
3815 Lisbon Street
Fort Worth, TX 76107

Robert O. Groover III, Esq.
groover@technopatents.com

Robert A. Simon, Esq.
rsimon@bgsfirm.com

Eric Nyberg, Esq.
e.nyberg@kornfieldlaw.com